

- Meeting            The Regular Meeting of the Harmony Township Committee was called to order by Mayor Tipton. Mr. Tipton made the following announcement: “Adequate notice of this meeting was given in accordance with the Open Public Meetings Act by providing a notice of the meeting to the Star Gazette and The Express-Times, posting a copy thereof on the Township bulletin board and filing a copy thereof in the office of the Municipal Clerk.” The Pledge of Allegiance to the American Flag was led by the Mayor.
- Roll Call           Present Mayor Tipton, Deputy Mayor Yamrock and Committeeman Cornely.
- Mayors Appointment    Mayor Tipton appointed William Postma to the Warren County SWAC as representative for Harmony Township.
- Consent Agenda       Motion by Yamrock, seconded by Cornely and carried unanimously by roll call vote to approve the following items on the consent agenda:

Municipal Attorney Written Report

Municipal Engineer’s Written Reports

-Rotundi/Reeder Road agreement draft was sent to them. Received comments via email from David Norris. Agreement was based on what he thought the cost would be to overlay the whole stretch of Reeder Road to Hutchinson based on \$100,000 to do the overlay split up into a couple of payments in the agreement and what they are saying is that they would like more information such as how much the Township has put into the roadway over these years which information will be given to David Norris. It was oil and chipped about 7 times from 1990 to present and also repaved one time in the early 90’s. David Norris is referring to the original Doug Mace calculation as how the original contribution was calculated. It was done based on the roadway, but then it was factored based on a pro-rated share based on the capacity of the roadway, number of vehicles it could take vs. the number of trucks that Rotundi would have on that road and that was a number like 3 or 4% so based on their truck volume and the comparison of the roadway their fairshare is 3% or something close to that which is not a lot. Mr. Norris is looking to tailoring the agreement so it would be similar in that kind of approach. The approach Mr. Weber to the new agreement was from a practical standpoint he thought after 25 years they’ve been operating their traffic is a predominant cause of the repair and deterioration of the roadway and the life of an asphalt roadway is typically 25 years and he thinks it’s reasonable that they should atleast overlay the roadway and that is what the agreement that was sent to them based on. The Township should be due some type of reimbursement on a pro-rated share based on the monies that they expended on the roadway. He also noted that the way the original calculation was done in 1990, one thing they didn’t do that is appropriate is, they just took a truck like it was a regular automobile, like 52 trucks/day. He said 1 truck is not equivalent to a car. Based on axles on a car vs. axles on a truck are not similar. Their 52 trucks may equate to like 5000 cars. If they want to look at it that way you could but based on information given they should take the offer. It was the consensus to continue negotiations and try to bring it to a conclusion. Ms. Campbell said they have to get this done to satisfy the County.

Mr. Weber gave an update on the Harmony Sand and Gravel Restoration of Pit 2. He received an email yesterday of the first progress report. They haven’t made a lot of progress. They basically had 2 days work of dozer

excavation work which by May 22 they were supposed to have done about 8,000+ yards of excavation work to be on schedule and they have only done 1,800 so they are lagging behind. Mayor Tipton asked that either Mr. Weber, Ms. Campbell or both send an email asking for an explanation and indicate they are behind schedule. He realized that he might get behind from time to time but there is no bad weather, he feels the Township has been very fair to them. Mayor Tipton asked for an email with the findings and he said he doesn't want a report back a day before the next meeting. Mrs. Yamrock noted that it's supposed to be bi-weekly and here they are receiving the first one this week. Mr. Weber stated he set up a schedule for the 1<sup>st</sup> and 15<sup>th</sup> of the month.

Mr. Weber updated the committee on the Aqua New Jersey road work. He reviewed what he provided them and the amount of the bond they had to put up. He received a call from Aqua stating they would like to pay for the estimated amount of all the work which is approximately \$67,000 for the Township to do the rest of the work necessary. Mr. Cornely said he'd take a look at it and determine what work needs to be done with Jim Fox and report at the next meeting.

Zoning Officer John Fritts reported he investigated where Mr. Crounce has driven in a heavy duty fence post approximately 6" off of the pin corner sitting on the Township property. It's painted orange with an orange ribbon. In the lower corner down towards Harmony Station Road there is a flat piece of steel bent over, it was semi-bent up straight with another stake next to it with stones around it identifying that property and it pretty much coincides when you look up the fence line. Other than putting 2 more posts up and having a post and rail, that would be the only other solution. He thinks the corners are pretty accurate other than being hit by the machine. He said it's been identified and feels it's pretty fair. Mayor Tipton said that a mediation process has begun through the County Ag Board with respect to any damage that has been alleged and any recourse. Mr. Crounce was present and indicated his wife had sent an email with Ms. Campbell had responded to. In the email the one thing that he did request was he would like to have the Township put corner posts on the Township property with a buffer. He indicated that the posts have already been pushed again it appears that it has been tampered with again. Mr. Crounce said if there is agreement that they are the stakes, they will continue with the mediation piece and they will get a forester in to determine damages. Mayor Tipton said the survey does show where the spots are, and the tenant farmer has been told to stay away, if there is recourse against the farmer and the Township we are going to be seeking it from the tenant farmer. Mayor Tipton thinks building a fence is an unnecessary cost. Mr. Crounce said he's already pushing against the southwest corner stake. Mr. Fritts said he should be able to make it around there. Mayor Tipton said that he will get a letter requiring him to stop using that entrance or he will be removed from the property.

-Attorney Campbell to send a letter to Richard Crouse advising him to stop any encroachment onto neighboring property or near the property line stakes.

Road Department Supervisor Written Report

Warren County Health Department Written Report

Minutes of May 5, 2015

Resolutions:

HARMONY TOWNSHIP  
WARREN COUNTY  
RESOLUTION NO. 15-24

RESOLUTION MEMORIALIZING THE RENEWAL OF  
THE ANNUAL JUNKYARD LICENSE (2015 - 2016)  
ISSUED TO JOSEPH SHANDOR, SR. D/B/A  
SHANDOR’S USED AUTO PARTS

WHEREAS, Chapter 107 of the Code of the Township of  
Harmony requires the annual licensure of individuals or firms maintaining,  
operating or conducting junkyards within the Township of Harmony; and

WHEREAS, Joseph Shandor, Sr. d/b/a Shandor’s Used Auto Parts  
(herein after “Shandor”) has previously been issued permits to maintain a  
junkyard upon Lots 23 and on a portion of Lot 24 in Block 47.01 on the  
Harmony Township Tax Map, and has now applied for renewal of said  
license for the 2015- 2016 term; and

WHEREAS, the Township Committee duly considered Shandor’s  
application at its regular monthly meeting held on April 7, 2015; and

NOW, THEREFORE, BE IT RESOLVED that on this 7th day of  
April 2015, Joseph Shandor, Sr. d/b/a Shandor’s Used Auto Parts is  
hereby granted a junkyard license effective April 7, 2015 through April 4,  
2016 subject to Shandor’s compliance with the following terms and  
conditions:

1. The actual junkyard area shall be confined to Lot 23, Block 47.01  
and a portion of Lot 24, Block 47.01 (previously designated as a  
“staging” area);
2. The area licensed shall be confined to the area heretofore fenced in  
by a board fence in compliance with Section 107-12 of the  
junkyard ordinance in order to adequately screen all stored  
vehicles from public view. The Municipal Engineer’s report dated  
March 27, 2015 noted that several junk vehicles were located in  
the field on the south side of the property and visible from River  
Road. The Committee directed Mr. Shandor, who was present at  
the hearing, to relocate the vehicles so they would not be visible  
from River Road;
3. The only vehicles permitted to be located in front of the fence as  
aforesaid shall be a maximum of five (5) vehicles awaiting resale  
as used motor vehicles;
4. No vehicles awaiting disassembly shall be placed in front of the  
fence as aforesaid;
5. In all other aspects, unless otherwise amended by the conditions  
contained herein, Shandor shall comply with all requirements as  
set forth in Chapter 107 of the Township Code;
6. The applicant shall provide a current certification from the Tax  
Collector that property taxes are paid;

**BE IT FURTHER RESOLVED** that while the Township  
Committee recognizes that used car sales have been conducted by the  
applicant at the location for some time of undetermined duration, and that  
the applicant has obtained a license from the State of New Jersey in order  
to conduct that aspect of the operation at the subject premises, the

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Township Committee specifically makes no finding or determination as to whether the sale of used cars or vehicles is in compliance with the Township Zoning Ordinance requirements in as much as that issue may only be properly determined upon proper application to the Harmony Township Land Use Board and, accordingly, the actions of the Township Committee in reviewing the junkyard license shall not be construed or implied in any fashion with regard to that issue, and;

**BE IT FURTHER RESOLVED** that while the Municipal Engineer’s March 27, 2015 report noted that NJDEP has advised that they continue to find this site to be in violation of the NJPDES General Stormwater Permit for Scrap Metal Processing/Automotive Recycling which was issued for this property and in violation of the NJDEP Bureau of Landfill and Hazardous Waste Permitting’s Solid Waste Rules at N.J.A.C. 7:26 et. seq. by operating a landfill facility without a permit, the Township Committee finds these violations to be outside of the Township’s enforcement authority under Chapter 107 and considers the violations to be an NJDEP enforcement issue.

ATTEST: TOWNSHIP OF HARMONY

Kelley D. Smith, Municipal Clerk Brian Tipton, Mayor

I hereby certify the foregoing to be true copy of the Resolution duly adopted by the Harmony Township Committee at its regular meeting held on June 2, 2015.

Kelley D. Smith, Municipal Clerk  
Township of Harmony

**TOWNSHIP OF HARMONY**  
**Warren County, New Jersey**  
**RESOLUTION NO. 15-25**

**WHEREAS**, Harmony Township has scheduled to have a fireworks display held on June 6, 2015 under the supervision of International Fireworks Mfg. Co.; and

**WHEREAS**, International Fireworks Mfg. Co. has entered into a contract with the Township in connection with said fireworks display and has submitted a certificate of insurance with the Township naming it as an additional insured thereunder; and

**WHEREAS**, International Fireworks Mfg. Co. is further authorized and granted a permit for said public display pursuant to N.J.S.A. 21:3-3; and

**WHEREAS**, the Harmony Township Volunteer Fire Company will be standing by at the scene;

**NOW, THEREFORE BE IT RESOLVED** by the Harmony Township Committee that approval is given for the fireworks display on June 6, 2015 to be conducted at the Warren County Fairgrounds; known at Block 30 and Lot 3 by International Fireworks Mfg. Co..

ATTEST:

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Kelley D. Smith, Municipal Clerk

Brian Tipton, Mayor

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I, Kelley D. Smith, Municipal Clerk of the Township of Harmony, do hereby certify the foregoing to be a true copy of a Resolution duly and unanimously adopted by the Harmony Township Committee at its regular meeting held on June 2, 2015.

Kelley D. Smith, Municipal Clerk

The resolution for HS&G was considered at this time.

**HARMONY TOWNSHIP  
WARREN COUNTY, NEW JERSEY  
RESOLUTION NO. R:15-27  
GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT**

WHEREAS, N.J.S.A. 40A: 5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2013 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A: 5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled “Comments and Recommendations; and

WHEREAS, the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled “Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon con-

viction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, That the Committee of Harmony Township hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

I hereby certify that this is a true copy of the resolution passed at the regular meeting held on June 2, 2015.

\_\_\_\_\_  
Kelley D. Smith, Municipal Clerk

NO PHOTO COPIES OF SIGNATURES

STATE OF NEW JERSEY  
COUNTY OF WARREN

We, members of the governing body of the Township of Harmony in the County of Warren, being duly sworn according to law, upon our oath depose and say:

- 1. We are duly elected (or appointed) members of the Township Committee of the Township of Harmony in the County of Warren;
- 2. In the performance of our duties, and pursuant to N.J.A.C. 5:30-6.5, we have familiarized ourselves with the contents of the Annual Municipal Audit filed with the Clerk pursuant to N.J.S.A. 40A:5-6 for the year 2014;
- 3. We certify that we have personally reviewed and are familiar with, as a minimum, the sections of the Annual Report of Audit entitled “Comments and Recommendations.”

(L.S.) _____	(L.S.) _____
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(L.S.) _____	(L.S.) _____
(L.S.) _____	(L.S.) _____

\_\_\_\_\_  
Municipal Clerk

Sworn to and subscribed before me this 2<sup>nd</sup> Day of June 2015.

\_\_\_\_\_  
Notary Public of New Jersey

\_\_\_\_\_  
The Municipal Clerk (or Clerk of the Board of Chosen Freeholders as the case may be) shall set forth the reason for the absence of signature of any members of the governing body.

IMPORTANT: This certificate must be sent to the Bureau of Financial Regulation and Assistance, Division of Local Government Services, P.O. Box 803, Trenton, New Jersey 08625.

Bingo and Raffles:  
Warren Hills FFA Alumni 50/50 Raffle Application #15-3

R:15-26        HS&G Resolution consideration. Mayor Tipton stated he  
HS&G            didn't think he wanted to entertain it due to their non  
                     compliance with the restoration plan that they agreed to.  
                     He recommended tabling it and bring it to the next meeting  
                     to see if they are in more compliance.

New            Motion by Tipton, seconded by Yamrock to approve release of  
Business       Bond No. 104175705 from Traveler's in the amount of \$19,000 for  
                     work performed by Aqua.

Old            1. Clothing Bins - Sample Ordinance for review and follow up. The  
Business       introduction of O:15-3; Ordinance of the Township of Harmony, County  
                     of Warren, State of New Jersey to Amend, Revise and Supplement  
                     Chapter 66, of the Code of the Township of Harmony to Regulate  
                     Donation Clothing Bins was carried to the July 2015 Harmony Township  
                     Committee Meeting.

                     2. A Resolution Dedicating Recreational Field in Memory of Nathaniel  
                     Haggerty was carried to the July 2015 Harmony Township Committee  
                     Meeting.

Public           Mr. John Chisamore asked about the construction  
Comment       of the salt shed and associated costs. He also stated  
                     that the DPW Supervisor bought back the old  
                     backhoe that was traded into Powerco for a new one.

Vouchers       Motion by Yamrock, seconded by Comely to approve payment of bills  
                     submitted by the CFO at this time. Roll Call: Ayes: Tipton, Cornely,  
                     Yamrock

Executive       **TOWNSHIP OF HARMONY**  
Session        **COUNTY OF WARREN**

**EXECUTIVE SESSION RESOLUTION**

**WHEREAS**, Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975 permits the exclusion of the public from a meeting in certain circumstances; and

**WHEREAS**, this public body is of the opinion that such circumstances present exist.

**NOW, THEREFORE BE IT RESOLVED** by the Township Committee of the Township of Harmony, County of Warren and State of New Jersey, as follows:

1.        The public shall be excluded from discussion of and action upon the hereinafter specified matter.
2.        The general nature of the subject matter to be discussed is as follows:  
  
                     Litigation
3.        It is anticipated at this time that the above stated matter will be

made public at such time as deemed appropriate.

- 4. This Resolution shall take effect immediately.

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I, Kelley D. Smith, Municipal Clerk of the Township of Harmony, do hereby certify the foregoing to be a true copy of a Resolution duly and unanimously adopted by the Harmony Township Committee at a meeting held on June 2, 2015.

\_\_\_\_\_  
Kelley D. Smith  
Municipal Clerk

The meeting was reopened to the public.

Motion by Tipton, seconded by Yamrock to authorize up to \$2,000 to retain the services of Dr. Robert Burchell of Rutgers for the purposes of preparing updated COAH Third Round Obligations for Harmony Township and consultation.

Adjourn      Motion by Yamrock , seconded by Cornely and carried unanimously to adjourn the meeting at this time.

\_\_\_\_\_  
Kelley D. Smith, Municipal Clerk